



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
CALIFORNIA DIVISION
650 Capitol Mall, Suite 4-100
Sacramento, CA. 95814
January 27, 2004

IN REPLY REFER TO
HDA-CA
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Mr. Jeff Morales, Director
California Department of Transportation
1120 N Street
Sacramento, CA 95814

Attention: Federal Resources Office, Room 3500
For Fardad Falakfarsa, Chief

Dear Mr. Morales:

SUBJECT: Emergency Relief (CA04-2) Letter Of Intent

This letter is to acknowledge receipt of your letter of intent, dated January 14, 2004, to request Emergency Relief (ER) funds, authorized under Sections 120 and 125 of Title 23, U.S. Code, for the repair of damage to Federal-aid highways. We acknowledge the two Governors Proclamations that indicate the San Simeon Earthquake occurred on December 22, 2003 and affected the counties of Santa Barbara and San Luis Obispo. Federal ER disaster number to be associated with this incident will be CA04-2.

You should proceed with performance of the emergency operations, including emergency repairs, necessary on the Federal-aid highways to restore essential travel, to protect the remaining facilities, and to reduce the extent of damage. Also, you may proceed to begin preliminary engineering comprising surveys, design, and preparation of construction plans, to perform the permanent restoration work required as an associated part of the emergency operations, and to use State forces and/or negotiated equipment rental contracts, as necessary, to perform the work. All Emergency repairs accomplished within 180 days from the day of incident, December 22, 2003, to restore essential travel, to minimize the extent of damage, or to protect the remaining facilities may be reimbursed at 100 percent Federal share.

The eligibility of such work for ER funds will be contingent upon a favorable finding by our office, on the eligibility of the disaster. The basis for our decision will be a field report prepared after a site visit and compilation of pertinent information concerning the earthquake's impact to Federal-aid highways. A preliminary estimate of cost to repair and reconstruct the damages and evidence of the widespread extent and intensity of the disaster will be taken into account prior to the decision to support federal funding.

We will be meeting with members of your staff to make arrangements for reviewing the disaster damage and preparing the field report. The field report is to be submitted to our office within three weeks, if possible. If additional time is required, please advise.

Provided we concur in federal ER support for disaster related damages, all emergency work must be included in an emergency program. The program, when submitted for approval, shall include a detailed listing, including preliminary cost estimates, of the necessary emergency operations identified as emergency opening (EO) and permanent restoration (PR) work.

FHWA representatives will be involved in field reviews and preparation of individual site damage reports (DAFs) for projects not subject to the October 19, 1998 revised ER Program Delegation. In an effort to determine the extent of our involvement, we request that you expeditiously work with the affected local agencies to identify and prepare a District by District listing of sites meeting the four criteria listed in the ER Program Delegation, prior to individual field review and completion of the DAF.

Permanent Restoration (PR) work other than that performed as an incidental part of the Emergency Opening (EO), shall not be performed prior to program approval and authorization by this office. For all sites individually identified as potentially eligible for Federal ER reimbursement, recordkeeping should be adequate to permit audit of costs on a site-by-site basis. If there are questions, please contact Scott McHenry, Program Coordinator, at (916) 498-5854, or scott_mchenry@fhwa.dot.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "David A. Nicol", written in a cursive style.

David A. Nicol
Acting Division Administrator